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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LEWIS G. SHEPLER II, M.D.,

Case No. C08-00240 MEJ

Plaintiff,

PLAINTIFF'S NOTICE OF
DISMISSAL

vs.

UNUMPROVIDENT CORPORATION,
THE PAUL REVERE LIFE INSURANCE
COMPANY, NEW YORK LIFE
INSURANCE COMPANY, and UNUM
GROUP, inclusive,

Defendants.

/

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), Plaintiff LEWIS G. SHEPLER, II, M.D., dismisses this action, in its entirety, with prejudice.

Defendants UNUMPROVIDENT CORPORATION, THE PAUL REVERE LIFE INSURANCE COMPANY, NEW YORK LIFE INSURANCE COMPANY, and UNUM GROUP, have been served with process, and have not filed an answer or motion for summary judgment. Plaintiff has not dismissed any other action based on or including the same claim or claims as

1 those presented in this action.

2 Dated: April 18, 2011

KNOX RICKSEN LLP

4 By: /s/ Thomas E. Fraysse

5 Thomas E. Fraysse

6 Attorneys for Plaintiff

7 LEWIS G. SHEPLER II, M.D.